

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN, DIVISION
Montgomery , Alabama

HON. Vanzetta Penn McPherson

DATE COMMENCED: 1/23/06

DIGITAL RECORDING: 10:04 - 10:46

DATE COMPLETED: 1/23/06

Hazel M. Roby

*

2:05cv494-MHT

vs

*

Benton Express, Inc.

*

PLAINTIFF

APPEARANCES:

DEFENDANT

*

LaBarron Nelson Boone

*

Gregory Austin Brockwell

*

*

COURT OFFICIALS PRESENT:

Wanda A. Robinson, Courtroom Deputy

PROCEEDINGS:

() JURY TRIAL

(x) OTHER PROCEEDINGS: Discovery Hearing

SEE MINUTES ATTACHED

LOG OF PROCEEDINGS ELECTRONICALLY RECORDED		
Description	DISCOVERY HEARING 2:05cv494-MHT: Hazel M. Roby vs. Benton Express, Inc.:	
Date	1 /23/2006	Location Courtroom 5A
Time	Speaker	Note
10:04:45 AM	Court	Opens Court ; Questions attorneys regarding the 1st sentence in the Order recently issued to verify the assumption is correct
10:06:48 AM	Plaintiff	Addresses the court as to discovery dispute
10:08:15 AM	Court	Questions the Issue of Craig Stephens acting in line of and Scope of his authority in his employment an issue in this Court
10:08:19 AM	Defendant	Addresses the Court regarding Ms. Stephens, widower of Mr. Stephens' Claim
10:09:50 AM	Court	Questions attorneys as to receipt of Mr. Stephens' Workman's compensation payment relevant to whether he acted in line and scope of his authority of employment
10:10:39 AM	Defendant	Responds to Court Questions; Workman compensation issued has been resolved in Florida;
10:14:28 AM	Plaintiff	Argues his issue of discovery
10:16:47 AM	Court	Questions Plaintiff's attorney
10:17:22 AM	Plaintiff	Responds
10:22:10 AM	Court	Needs to know if the Florida case has been dismissed
10:22:52 AM	Plaintiff	Attorney not sure; Continues argument
10:26:21 AM	Court	Questions as to what prejudice or protection does the defendant seek
10:27:56 AM	Defendant	Responds
10:37:06 AM	Court	Discusses issue regarding the renewed motion to compel; questions defendant
10:39:49 AM	Court	Will reject time defense as to claim of prejudice
10:44:05 AM	Court	Plaintiff to file a Notice of Authority listing cases cited by 1/25/06 which should include exactly what Plaintiff is requesting; By 1/27/06 Defendants file a Notice of Opposition to Use of those cases; Court is to enter a written order by Monday 1/30/06